

PATENT APPLICATION

Attorney Docket: 10030906-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF APPEALS

Applicant:	Pleasant
Serial No.:	10/783,645
Filed:	2/20/2004
For:	Method of Determining Measurement Uncertainties Using Circuit Simulation
Group Art Unit:	2123
Examiner:	Pierre Louis, Andre

REPLY BRIEF FOR APPELLANT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This reply brief is filed in response to the revised Examiner's answer, dated 12/12/2007, to the appeal, dated 11/08/2007, of the final rejection in the above-identified patent application. This brief addresses arguments made in the Examiner's answer that were not part of the Examiner's arguments in the final rejection.

First, in the rejection of claim 1, the Examiner argues that as the claim does not mention a determined inductance, Applicant's argument in the brief that Jamneala does not teach a probability distribution describing the statistical variability of that inductance is irrelevant. Applicant submits that as the claim requires the use of probability distributions of uncertainty terms in the test system model, and the Examiner identifies the models of Jamneala, concerning inductance values, as the models required, the lack of a known probability distribution describing variability of inductance values in Jamneala is indeed relevant. The Examiner points to column 4, lines 19-48 and column 6, lines 7-61 as teaching

arbitrary distributions of currents and “making assumptions regarding a plurality of inductance values”. Applicant submits that selecting arbitrary distributions of one parameter, and initial values of another for iterative simulations, is not equivalent to using known probability distributions of uncertainty terms for either of those parameters. Applicant must also submit that the teachings of Piratelli-Filho concerning probability distributions are irrelevant to the fact that, as argued in the brief, there would be no expectation of success in applying the teachings of Piratelli-Filho to Jamneala absent additional teachings. The Examiner has not pointed to such additional teachings.

Regarding claims 8-10, the Examiner states that the simulation of Jamneala uses “a wide range of different frequencies”. Applicant submits that this falls far short of probing the DUT at a first frequency and measuring the result at a second frequency, which is related harmonically or by mixing to the first frequency, as the claims require.

Claim 12 requires that pluralities of switches and cables are included in the test system model. The Examiner now identifies elements 24, 26, and 34 of Figure 1 of Jamneala as “substantially switches”. Applicant submits that on the contrary, these elements are merely bonding pads for ground and signal paths (column 3, lines 51-64). The Examiner points to teachings regarding the removal of static errors from test cables. Applicant submits that these teachings concern a conventional calibration technique upon which Jamneala aspired to improve, and is not equivalent to using cables in any test system model, as the claim requires.

Regarding claim 13, the Examiner repeats the argument discussed above with respect to claim 1, regarding arbitrary distributions and assumptions of parameter values. Applicant repeats that these are not equivalent to probability distributions of uncertainty terms.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Calvin B. Ward". The signature is fluid and cursive, with the first name "Calvin" being more prominent.

Calvin B. Ward
Registration No. 30,896
Date: Feb. 11, 2008

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